

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – P.J.P – GADWAL - Mahabubnagar District – Gadwal (Mandal and Village) – O.P.No.37/1997 - Sanction of decretal charges of **Rs.92,17,569/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 621

DATE:21.09.2010

Read :

From the Secy.to CCLA, AP, Hyd.Lr.No.G1/109/2010, dated:20.07.10 along with the proposal of the Special Collector, LA, Bheema Project, Mahabubnagar.

O R D E R:

The Special Chief Secretary to Government and CCLA, AP, Hyderabad has informed that the proposal of the Special Collector, LA, Bheema Project, Mahabubnagar has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.37/1997 pertaining to Gadwal (Village and Mandal) of Mahabubnagar District. The then Land Acquisition Officer acquired lands to an extent of Ac.2.12 gts in the limits of Gadwal (V&M) by fixing the market value @Rs.4,000/- per acre vide Award No.5/85, dt:28.03.1985. Aggrieved with the compensation awarded by the LAO, the Awardees have filed petitions U/s.18 seeking reference to the Civil Court. The Senior Civil Judge, Gadwal in its judgment dt:13.12.2007 has enhanced the market value @Rs.122/- per sq.yard which comes Rs.5,90,480/-. Aggrieved by the orders of the Senior Civil Judge, Gadwal dt:13.12.2007 in respect of O..No.37/1997, the SDC has filed an appeal in the Hon'ble High Court of A.P, Hyderabad. The Advocate General, High Court Buildings, Hyderabad while sending the certified copies of judgment and decree dt:02.04.2009 in A.S.No.530/2008 and he has opined that it is a fit case to carry the matter to the Hon'ble Supreme Court of India by way of filing of SLP". The Hon'ble Supreme Court of India, New Delhi has dismissed the SLP filed by the State in C.C.No.14430/2008, dt:05.10.2009.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.92,17,569/- (Rupees Ninety two lakhs seventeen thousand five hundred and sixty nine only)** in respect of O.P.No.37/97 pertaining to Gadwal (V&M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer (P) Mahabubnagar as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (27) - Canals and Distributaries - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance Works&Projects) Department vide their U.O. No.4350/F2(2)/2010-1, dated:03.09.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector (LA) Bheema Project, Mahabubnagar.
The Chief Engineer, I& CAD, MBNR, Jalasoudha Buildings, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.19342/LA-III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER